



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 24 2009

22 Sep 2009

Applicant Mailing address

In re Application of: Cho *et al.* :  
Application No.: 10597305 :  
Filed: 19 Jul 2006 :  
Attorney Docket No.: 58049-00034 : DECISION ON PETITION TO  
ACCEPT COLOR DRAWINGS  
For: **Differentiation Regulating Agent** :  
**Containing Gene Which Regulating** :  
**Differentiation From Stem Cells Into** :  
**Natural Killer Cells As Effective** :  
**Ingredient** :

This is in response to applicant's petition filed 03 Aug 2009 under 37 C.F.R. 1.84 to use color drawings in the application. Applicant has (A) paid the appropriate petition fee; (B) not provided the required three (3) copies of formal color drawings; (C) the black and white photocopy of the drawings in the image file wrapper will suffice for 37 C.F.R. 1.84(a)(2)(iii); and (D) the petition indicates inserting a paragraph regarding the color drawings, however, this does not meet the criteria of 37 CFR 1.121. There is no formal amendment to the specification regarding the color drawings in the an amendment attached to the specification. containing the appropriate language for incorporation of color drawings under 37 C.F.R. 1.84(a)(2)(iv). The Legal Framework document <http://www.uspto.gov/ebs/portal/efs/legal.htm> indicates color drawings filed via EFSWEB are limited to design applications.

Applicant's petition is DENIED.

Questions with regard to this letter should be directed to the undersigned as indicated below.

/ Christopher S. F. Low /

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22 Sep 2009

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